

10-01-01

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DOCKET NO. : PU-0031

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Yigong Shi

Serial No.:

Group Art Unit:

Filing Date: Herewith

Examiner:

For: COMPOSITIONS AND METHODS FOR REGULATING APOPTOSIS

EXPRESS MAIL LABEL NO: EL568089659US

DATE OF DEPOSIT: September 28, 2001

EL568089659US

Box ☒ Patent Application
☐ Provisional ☐ Design

Assistant Commissioner for Patents
Washington DC 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing, please find

☒ A Utility Patent Application under 37 C.F.R. 1.53(b).

It is a continuing application, as follows:

☐ continuation ☐ divisional ☐ continuation-in-part of prior application number

☐ A Provisional Patent Application under 37 C.F.R. 1.53(c).

☐ A Design Patent Application (submitted in duplicate).

☐ **Request for Nonpublication.** The invention(s) disclosed in the present application filed herewith has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. Thus, pursuant to 35 U.S.C. § 122(b)(2)(B)(i), Applicant(s) request that the above-identified patent application not be published.

Including the following:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | Provisional Application Cover Sheet. |
| <input checked="" type="checkbox"/> | New or Revised Specification, including pages <u>1</u> to <u>48</u> containing: |
| <input checked="" type="checkbox"/> | Specification |
| <input checked="" type="checkbox"/> | Claims |
| <input checked="" type="checkbox"/> | Abstract |
| <input type="checkbox"/> | Substitute Specification, including Claims and Abstract. |
| <input type="checkbox"/> | The present application is a continuation application of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Since none of those amendments incorporate new matter into the parent application, the present revised Specification also does not include new matter. |
| <input type="checkbox"/> | The present application is a continuation application of Application No. _____ filed _____, which in turn is a continuation-in-part of Application No. _____ filed _____. The present application includes the Specification of the parent application which has been revised in accordance with the amendments filed in the parent application. Although the amendments in the parent C-I-P application may have incorporated new matter, since those are the only revisions included in the present application, the present application includes no new matter in relation to the parent application. |
| <input type="checkbox"/> | A copy of earlier application Serial No. _____ Filed _____, including Specification, Claims and Abstract (pages 1 - @@), to which no new matter has been added TOGETHER WITH a copy of the executed oath or declaration for such earlier application and all drawings and appendices. Such earlier application is hereby incorporated into the present application by reference. |
| <input type="checkbox"/> | Please enter the following amendment to the Specification under the Cross-Reference to Related Applications section (or create such a section) : "This Application: |
| <input type="checkbox"/> | is a continuation of <input type="checkbox"/> is a divisional of <input type="checkbox"/> claims benefit of U.S. provisional Application Serial No. _____ filed _____ |

- ☐ Signed Statement attached deleting inventor(s) named in the prior application.
- ☐ A Preliminary Amendment.
- ☒ Fourteen (14) Sheets of Formal Drawings and Color Photographs.
- ☐ Drawing view to publish: Figure _____.
- ☒ Petition to Accept Photographic Drawings.
- ☒ Petition Fee (\$130.00)
- ☒ An ☐ Executed ☒ Unexecuted Declaration or Oath and Power of Attorney.
- ☐ An Associate Power of Attorney.
- ☐ An ☐ Executed ☐ Copy of Executed Assignment of the Invention to _____
_____.
- ☐ A Recordation Form Cover Sheet.
- ☐ Recordation Fee - \$40.00.
- ☐ The prior application is assigned of record to _____
- ☐ Priority is claimed under 35 U.S.C. § 119 of Patent Application No. _____
filed _____ in _____ (country).
- ☐ A Certified Copy of each of the above applications for which priority is
claimed:
- ☐ is enclosed.
- ☐ has been filed in prior application Serial No. _____ filed _____.
- ☐ Please enter the following amendment to the first sentence of the specification
(or create such a sentence): "This application claims benefit of international
application No. _____, which was published under PCT Article 21(2)
in English."
- ☒ Applicant(s) by its/their undersigned attorney, claims small entity status under 37
C.F.R. §1.27 as:

T233125969

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☒ a Nonprofit Organization.
- ☐ Diskette Containing DNA/Amino Acid Sequence Information.
- ☐ Statement to Support Submission of DNA/Amino Acid Sequence Information.
- ☐ Sequence listing consisting of pages _____.
- ☐ The computer readable form in this application _____, is identical with that filed in Application Serial Number _____, filed _____. In accordance with 37 CFR 1.821(e), please use the ☐ first-filed, ☐ last-filed or ☐ only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is ☐ included in the originally-filed specification of the instant application, ☐ included in a separately filed preliminary amendment for incorporation into the specification.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ A copy of Petition for Extension of Time as filed in the prior case.
- ☐ Appended Material as follows: _____.
- ☒ Return Receipt Postcard (should be specifically itemized).
- ☐ Other as follows: _____.

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FEE CALCULATION:

- ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

			SMALL ENTITY		NOT SMALL ENTITY	
			RATE	FEE	RATE	FEE
DESIGN APPLICATION			\$165.00	\$	\$330.00	\$
UTILITY APPLICATIONS BASE FEE			\$370.00	\$370.00	\$740.00	\$
UTILITY APPLICATION; ALL CLAIMS CALCULATED AFTER ENTRY OF ALL AMENDMENTS						
	No. Filed	No. Extra				
TOTAL CLAIMS	32- 20 =	12	\$9 each	\$108.00	\$18 each	\$
INDEP. CLAIMS	6- 3 =	3	\$42 each	\$126.00	\$84 each	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			\$140	\$0	\$280	\$
ADDITIONAL FILING FEE				\$		\$
TOTAL FILING FEE DUE				\$604.00		

- ☒ A Check is enclosed in the amount of \$734.00 (filing fee and petition fee).
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

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SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date:

September 28, 2001



Janet E. Reed

Registration No. 36,252

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PETITION TO ACCEPT COLOR DRAWING(S)/PHOTOGRAPH(S)
(37 C.F.R. 1.84 (a) and(b))

1. Petition is hereby made to accept drawing(s)/photograph(s) in this case.
2. Three (3) sets of color and one (1) black and white photocopy of the color set of drawing(s)/photograph(s)
☒ are submitted herewith.
☐ have already been submitted in this application on
3. The reason(s) why color drawing(s)/photograph(s) is/are necessary in this case is/are as follows: They are the only practical medium for illustrating the claimed invention.
4. The first paragraph of the Brief Description of the Drawings has been amended to read as follows:

-- The file of this patent contains at least one drawing/photograph executed in color. Copies of this patent with color drawing(s)/photograph(s) will be provided by the Office upon request and payment of the necessary fee.--
5. The enclosed color drawing(s) photograph(s) each bear the Title, Inventor Name(s), Application No., Docket No. and Attorney Name: Janet E. Reed, Ph.D. Telephone No. 215-568-3100 of the application on the front of the respective document.

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